

Wetlands Bureau Decision Report

Decisions Taken
08/07/2006 to 08/13/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02483 THE WILDS CHRISTIAN ASSOCIATION INC **MEREDITH Page & Little Ponds**

Requested Action:

The Appellant requests reconsideration of the Department's November 10, 2005 decision to approve the installation of seasonal pier and tubes slides on Page Pond, fill of forested wetlands for road access and athletic fields, and 89 sq ft of impact to prime wetland to drive pilings for footbridges and an upgrade of an existing crossing on the basis that the Applicant failed to provide sufficient documentation to meet the requirements of RSA 482-A:11, IV.

Conservation Commission/Staff Comments:

**In a letter dated 3/2/01, NHI stated that there are no recorded occurrences of sensitive species near the project area.

**In a letter dated 11/22/02, The Meredith Conservation Commission intervened in the permit review process by stating that "the Commission will investigate and report later".

**In a letter dated 12/15/02, The Meredith Planning Board stated that they granted conditional Site Plan Approval on 3/26/02 for the proposed youth camp. In addition, the Board raised specific issues and concerns associated with the proposed recreational uses of Page Pond.

**2 public comment letters (dated 9/15/02 & 12/20/02) were submitted by concerned citizens June & Harold Noreen.

**In a letter dated 1/3/02, The Meredith Conservation Commission stated that they have no overall objections to the establishment of a youth camp, and that they have reviewed the construction plans, noting size and location of building, parking lots and other activities and makes no recommendations for changes. However, the Commission has great concerns that the camper activities will, if not controlled and prohibited, have lasting negative impact on the Prime Wetlands. Note - refer to letter for specific recommendations.

Inspection Date: 06/13/2001 by Craig D Rennie

DENY RECONSIDERATION:

Reconsider and reaffirm the Department's November 10, 2005 decision to approve the Applicant's request to: 1. Install two 6 ft x 40 ft piers connected by a 6 ft x 60 ft seasonal wharf, a 6 ft x 40 ft seasonal pier with a 6 ft x 19 ft seasonal "L", and a 5 ft x 91 ft tube slide extending 16 ft lakeward of the normal high-water line on an average of 2500 ft of frontage on Page Pond. Each of the seasonal piers shall be accessed by a 6 ft wide walkway constructed over the bank of Page Pond.

2. Impact 41 sq ft of prime wetlands to drive pilings and upgrade access over Page Brook to allow emergency vehicle access.

3. Impact 48 sq ft of prime wetland to drive pilings and construct two footbridges over Lower Page Pond for trail system.

4. Dredge and fill 4,425 sq ft of forested wetlands to construct access roads, 1,497 sq ft of forested wetlands to construct an athletic field, and temporarily impact 75 sq ft of forested wetlands for septic line installation.

5. Impact 83,430 sq ft of man-made wetlands to reclaim two quarries for water-based recreation activities.

With Findings:

Grounds for Reconsideration

1. The Appellant maintains that the addition of 2 septic fields and removal of the rifle range results in a project which is "substantially different in character than the original application as proposed by the Applicant at the public hearing."
2. The Appellant maintains that the addition of 2 septic fields and removal of the rifle range after the public hearing had been conducted "prejudiced the Abutter's due process rights and rights to public comment and public hearing afforded by RSA 482-A".
3. The Appellant maintains that the lack of an affirmative statement from the Applicant that there will be no rifle range on the property may indicate that the proposed project is being segmented and that a rifle range may be proposed in the future.
4. The Appellant maintains that the lapse of time between the public hearing and the submission of the final plans and the inability of the Abutter's to comment on the subsurface system design have deprived the Abutter's of the ability to contest the finding that system would not adversely affect groundwater quality.
5. The Appellant maintains that the Applicant failed to provide pre and post-construction drainage calculations, the total amount of impervious surface area proposed, and info on the effect of the project on the canopy budget and failed to demonstrate that all NH

Best Management Practices will be utilized with regard to storm water abatement as required per RSA 485-C.

6. The Appellant maintains that not all abutters were notified required per RSA 482-A:3.
7. The Appellant maintains that the Applicant failed to submit 29 of the 41 plan sheets pertaining to the file.
8. The Appellant maintains that the Applicant failed to establish need for the project as required per Rules Wt 302.01, Statement of Purpose, and Wt 302.04, Requirements for Application Evaluation.
9. The Appellant maintains that the Applicant failed to demonstrate that the project as proposed minimizes and avoids impacts as required per Rules Wt 302.03, Avoidance and Minimization, and Wt 302.04.
10. The Appellant maintains that the Applicant failed to conduct a survey of the flora and fauna present on the property and therefore cannot establish that there are no sensitive species on site which might be adversely impacted by the project.
11. The Appellant maintains that the Applicant failed to delineate the 100 year flood plain on the plans as required per Rule Wt 501.02, Additional Data.
12. The Appellant maintains that the Applicant failed to adequately classify or typify the wetlands to be impacted and demonstrate their relationship to nearby wetlands, surface water, and groundwater as required per Rule Wt 302.04.
13. The Appellant maintains that the project will not benefit the health, safety or well-being of the general public and will not provide public access to the property as required per Rule Wt 302.04.
14. The Appellant maintains that the project will not provide safe ingress and egress for emergency vehicles accessing the property and notes that the Applicant has not provided documentation that they have a legal right of access off Blueberry Hill Rd.
15. The Appellant maintains that that irreparable harm will result from the inability of local officials to sustain the monitoring of the Stewardship Plan.
16. The Appellant cites General Condition # 8 as evidence that the Applicant has failed to address the projects potential impacts to sites on the National Register of Natural Landmarks.
17. The Appellant maintains that the wetlands delineation is incomplete and that the Applicant failed to submit documentation in support of the delineation.
18. The Appellant maintains that the Waterfront Landscape Plan approved by the Bureau is not in the file.
19. The Appellant maintains that the Applicant has failed to provide a Compensatory Mitigation Proposal which addresses the requirements of Rule Wt 803.02, Assessments, as required per Rule Wt 302.03(b).
20. The Appellant maintains that the pursuit of permits from the US Army Corps of Engineers and Environmental Protection Agency for the approved impacts and from the Dam Bureau for the construction of the impoundment structure for the purpose of maintaining the water levels in the quarries will alter the scope of the project.
21. The Appellant maintains that the Applicant has failed to consider what effect the impoundment of water will have on the thermal budget of the Page Pond wetlands complex.
22. The Appellant maintains that the approval of this project would violate Rule Wt 703.01, Criteria for Approval, as there is no basis for the Bureau's finding that the project as proposed will result in no significant loss in the functions and values of the prime wetlands. The Appellant cites the fill of 2311 sq ft of wetland area labeled EEE on the plans as evidence that prime wetlands will be lost.
23. The Appellant maintains that the Applicant has failed submit the clear and convincing evidence necessary for the Bureau to make the finding that this project will not result in the significant net loss of the values set forth in RSA 482-A:1.
24. The Appellant maintains that the Bureau's failure to specifically identify which of the permitted impacts are within prime wetlands renders the unreliable for construction purposes.

Standards for Approval

25. In accordance with Rule Wt 101.02, as effective at the time of the application's filing "Abutter" means any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration brings non-contiguous properties into close proximity to the project, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than one quarter mile from the limits of the proposed project.
26. In accordance with Rule Wt 302.03, Avoidance and Minimization, as effective at the time of the application's filing "the applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that his proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction."
27. In accordance with Rule Wt 501.02, Additional Data, as effective at the time of the application's filing, "Along with the completed application submitted to the department, the applicant shall supply at least the following information: (1) A copy or tracing of a town tax map showing the property of the applicant, the location of the project on the property, and the location of

properties of abutters; (2) An authored and signed drawing or drawing showing the location of wetlands, shoreline, and surface waters on site, and their relation to the proposed project. The drawing shall be prepared to scale or so dimensioned as to clearly define the project and shall indicate who was responsible for each part of the plan; and (3) Dated, labeled photograph(s) depicting portions of wetland, shoreline, or surface waters where proposed impact will occur, and showing all existing structures mounted on 8 ½" x 11" sheets shall be submitted.

28. In accordance with RSA 485-A:4, establishing the authority of the Subsurface Systems Bureau, "it shall be the duty of the department and the Department is authorized: IX. To set standards of design and construction for sewerage and sewage or waste treatment systems and standards or guidelines as the Department determines to be appropriate for innovative/alternative waste treatment systems."

29. Administrative Rules Chapter Env-Ws 1000, were adopted by the Subsurface Systems Bureau under RSA 485-A:4, for the purposes as outlined in RSA 485-A:1 and additionally to prevent the pollution of all public and private water supplies, whether underground or surface sources.

30. Appeals of Subsurface Systems Bureau decisions shall be filed in accordance with RSA 485-A:40, Reconsideration and Appeal Procedure, I, which reads "Within 20 days after any decision of the Department, any person whose rights may be directly affected may apply to the Department for reconsideration of any matter determined by the Department in its decision..."

31. In accordance with RSA 485-A:17, Terrain Alteration, establishing the authority of the Site Specific Program, "I. Any person proposing to dredge, excavate, place fill, mine, transport forest products or undertake construction in or on the border of the surface waters of the state, and any person proposing to significantly alter the characteristics of the terrain, in such a manner as to impede the natural runoff or create an unnatural runoff, shall be directly responsible to submit to the department detailed plans concerning such proposal and any additional relevant information requested by the department, at least 30 days prior to undertaking any such activity. The operations shall not be undertaken unless and until the applicant receives a permit from the department."

32. Administrative Rules Chapter Env-Ws 415, were adopted by the Site Specific Program under RSA 485-A:17, to "protect surface water quality from degradation resulting from any activity which significantly alters the terrain or occurs in or on the border of the surface waters of the state. Examples of these activities include dredging, earth moving, excavating, timber harvesting operations, and mining."

Findings of Fact

33. On November 15, 2002, the Wetlands Bureau received an application to fill forested wetlands for road upgrades and athletic fields, install seasonal piers and tube slides providing a combination of high intensity water-related activities and non-motorized boating in surface waters adjacent to prime wetlands, upgrade an existing crossing of Page Brook, and construct 2 foot bridges over Lower Page Pond and adjacent prime wetlands. The impacts requested were associated with construction of a proposed youth camp and conference center. No impacts to the man-made quarries were proposed.

34. The only direct impacts to designated prime wetlands are 89 sq ft of impacts to drive pilings for footbridges associated with the proposed trail system and upgrade an existing wetlands crossing for emergency vehicle access.

35. The wetland area identified on the plans as area "EEE" is not designated as prime by the Town of Meredith.

36. The plans submitted with the original application indicated 2 separate subsurface systems to be constructed on site.

37. The Applicant included a detailed statement addressing the need for the proposed impacts as required per Rules Wt 302.01, and Wt 302.04 in the original application submitted November 15, 2002.

38. The Applicant included a detailed statement demonstrating that impacts had been minimized and avoided as required per Rules Wt 302.03 and Wt 302.04 in the original application submitted November 15, 2002.

39. The application submitted on November 15, 2002, included an Environmental Impact Assessment which contained the results of surveys for flora and fauna found on the subject property.

40. All wetlands to be impacted were typified and classified in the Environmental Impact Assessment submitted November 15, 2002.

41. An assessment of the historic resources on the subject property was included in the Environmental Impact Assessment submitted November 15, 2002.

42. There are no sites in Meredith identified on the National Register of Natural Landmarks.

43. Copies of certified mail receipts submitted with the original application on November 15, 2002 demonstrate the all abutters as defined per Rule 101.02, were notified of the applicant's intent to apply for a wetlands impact permit.

44. The wetlands as shown on the plans were delineated by a certified wetland scientist. Field inspections by Wetlands Bureau staff on June 13, 2001 and April 25, 2003 found no reason to question the wetlands delineation or require additional documentation supporting the boundary as delineated.

45. During the field inspection on June 13, 2001 it was noted that there were two man-made quarries on the property, which were

flooded due to previous beaver activities.

46. On March 12, 2003, the Wetlands Bureau issued a Request for More Information Letter to the Applicant requesting that they investigate the use of the quarries for the high intensity water-related activities as a less impacting alternative to the use of Page Pond for these activities.

47. On October 3, 2003, the Wetlands Bureau received a revised proposal from the Applicant which included 83, 430 sq ft of impacts to reclaim the quarries to provide an alternative location for the non-boating, high intensity water-related activities, as requested by the Bureau on March 12, 2003.

48. A public hearing relative to this project was conducted in Meredith, by the Department, on January 17, 2004 during which the Applicant presented the project as detailed in the plans received October 3, 2003.

49. Rule Wt 501.02, as effective at the time the application was filed did not require the delineation of the 100 yr flood plain on the plans.

50. Rule Wt 302.03 (b) requiring compensatory mitigation did not become effective until March 13, 2004.

51. Chapter Wt 800, Compensatory Mitigation, did not become effective March 13, 2004.

52. On October 7, 2005, Wetlands Bureau Staff requested that the applicant submit a full set of plans showing and changes made for the purposes of obtaining the subsurface approval.

53. On October 12, 2005, the Wetlands Bureau received a plan set containing 41 sheets relative to the proposed project.

54. On November 7, 2005 Wetlands Bureau staff reviewed the full plan set submitted and culled 29 plan sheets which were redundant or did not involve impacts to wetlands. Culling of unnecessary plan sheets is a standard practice of the Wetlands Bureau employed to meet file storage space constraints. Review of the plans found that the changes to the subsurface systems resulted in no changes in wetlands impacts.

55. The copy of the Waterfront Landscape Plan by Jordan Associates as revised on October 7, 2003, and received by the Department on December 15, 2003 is located in the file.

56. The project as designed and approved meets the standards in Administrative Rules Chapter Env-Ws 1000 established under RSA 485-A:4, and has received construction approvals #CA2005076905 and #CA2005076906 from the Subsurface Systems Bureau.

57. No appeal of construction approvals #CA2005076905 and #CA2005076906 as provided for in RSA 485-A:40, has been filed with the Subsurface Systems Bureau.

58. The additional subsurface system proposed and approved by the department under RSA 485-A is located approximately 600 feet from the nearest wetland.

59. The "22 range area" has been removed from the Stewardship Plan as no rifle range is proposed on this property at this time.

60. The project as designed and approved meets the standards in Administrative Rules Chapter Env-Ws 415 established under RSA 485-A:17, and therefore was issued Alteration of Terrain Permit # WPS 6850 on July 13, 2004 by the Site Specific Program.

61. The proposed project will occur on lands owned in their entirety by the Applicant and will have no adverse impact on the health, safety or well-being of the general public.

62. The Environmental Stewardship Plan is subject to review and approval by the Town of Meredith.

Rulings in Support of the Decision

63. The removal of the rifle range and addition of one subsurface system which meets the standards established under RSA-485-A:4 does not create a substantial difference in the character of this project, therefore the decision to approve this project without a second public hearing did not prejudice the Abutter's rights under RSA 482-A.

64. The use of uplands areas as a firing range does not fall under the jurisdiction of the Wetlands Bureau therefore no restriction pertaining to the future installation of a firing range in uplands may be imposed by the Wetlands Bureau. This finding will not preclude the future review of any impacts associated with a firing range if one is proposed and the Town of Meredith determines that it will be adjacent to designated prime wetlands.

65. The Appellant had the opportunity to review, comment and appeal the Subsurface Systems Bureau decision to grant construction approvals #CA2005076905 and #CA2005076906 for the subsurface systems under RSA 485-A:40 during the time that lapsed between the public hearing and decision to approve the project under RSA 482-A therefore the Wetlands Bureau's decision to approve the project under RSA 482-A did not deprive the Abutters of the ability to contest the finding that the system would not adversely affect ground water quality.

66. Issues pertaining to pre and post-construction drainage calculations, impervious surface area, canopy budget, and storm water abatement were reviewed in accordance with RSA 485-A:17 and approved by the Site Specific Program under Alteration of Terrain Permit # WPS 6850, therefore the Appellant's assertion that the Applicant failed to address these issues is unfounded.

67. The application for this project was submitted prior to the adoption of rules requiring compensatory mitigation and delineation

of the 100 yr flood plain. The Appellant's claim that these additional requirements, adopted after the application was filed, should be applied retroactively is unreasonable.

68. The Appellant's assertions that Applicant failed to notify all abutters as required, submitted a statement of need for the proposed impacts, submit documentation that impacts have been avoided and minimized, conduct a survey of flora and fauna, and classify and typify the wetlands to be impacted are unfounded.

69. The Appellant's assertion that the approved Waterfront Landscape Plan is not in the file is unfounded.

70. There is no standard requirement for the submittal documentation supporting the wetland delineation and no reason after review of the documents submitted to the file and field inspection of the site to question the edge of wetlands as delineated therefore the Appellant's assertion that supporting documents be required is unreasonable.

71. There are no sites in Meredith identified on the National Register of Natural Landmarks therefore the Appellant's assertion that the Applicant has failed to address impacts to sites on the Register is unfounded.

72. The process of obtaining any permits necessary for replacement of the existing beaver dam with a man-made structure to maintain the existing water levels within the quarries will not alter the scope of the project.

73. The US Army Corps of Engineers approved the project as proposed under the State Programmatic General Permit on January 6, 2006, therefore the Appellant's assertion that obtaining Federal approval will alter the scope of the project is unfounded.

74. The water levels within the quarries will be maintained at the pre-existing levels and therefore there will be no change to the thermal budget of the Page Pond wetlands complex.

75. The Department reviewed and evaluated the plan sheets culled on November 7, 2005 and determined that those sheets were not necessary for the evaluation of the project's impacts. The plan sheets retained by the Department depict the full extent of the jurisdictional areas to be impacted and are sufficient for the Department to make findings regarding the impacts to designated prime wetlands as required per RSA 482-A:11, IV.

76. Requiring the Applicant to provide public access to privately held lands, which are not, and have not been, subject to any easement or right of public passage as a condition of approval would be unreasonable.

77. The approved impacts for the emergency vehicle access will improve an existing crossing located completely with the land of the Applicant and is no dependent upon access from Blueberry Hill Rd.

78. The establishment of design standards for the safe ingress or egress of emergency vehicles is outside of the authority of this Department. 79. The failure to specify that the wetlands to be impacted by the pilings to be driven for the crossing upgrade and footbridges are designated as prime wetlands by the Town of Meredith will not affect the reliability of the permit which approves specific plans and is subject to specific conditions for construction purposes.

80. The Appellant's speculation that the Town of Meredith will fail to enforce the Environmental Stewardship Plan as required, reviewed, and approved by the Town thereby resulting in adverse impacts to the prime wetlands is not reasonable grounds for the denial of the proposed project.

81. The implementation of the wildlife habitat enhancements associated with the Stewardship Plan, the transfer of the high intensity water-related activities to the quarries, and the restriction of public access to the areas surrounding the Page Pond prime wetland complex will offset any adverse impacts to wildlife habitat associated with the footbridge, seasonal pier, and tube slide construction, therefore the requirements of Rule Wt 703.01, Criteria for Approval, have been met.

82. The Department reaffirms its November 10, 2005 decision to approve this project as proposed based on clear and convincing evidence supplied by the Applicant that the project as proposed, approved, and conditioned will result in no significant net loss in the functions and values, as described in RSA 482-A:1, of the Page Pond wetland complex.

-Send to Governor and Executive Council-

2005-00155 NASHUA, CITY OF
NASHUA Nashua River

Requested Action:

Request to restore the historic Cotton Transfer Bridge for use as a pedestrian bridge including repair of the concrete piers with 70 square feet of temporary impacts in the Nashua River prime wetland to secure work platforms: and construction of an ADA compliant ramp and stairs along the top of the bank adjacent to prime wetlands with appropoximately 3,000 square feet of permanent structure constuction impact to access the bridge.

Conservation Commission/Staff Comments:

Conservation Commission does not object to the project.

Inspection Date: 03/17/2005 by Dori A Wiggin

APPROVE PERMIT:

Request to restore the historic Cotton Transfer Bridge for use as a pedestrian bridge including repair of the concrete piers with 70 square feet of temporary impacts in the Nashua River prime wetland to secure work platforms: and construction of an ADA compliant ramp and stairs along the top of the bank adjacent to prime wetlands with appropoximately 3,000 square feet of permanent structure constuction impact to access the bridge.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. designed and drawn on December 2004 and plot date January 5, 2005, as received by the Department on March 18, 2005.
2. Installation of the pilings for the work on the platforms or barges shall be restricted to 1-2 days duration during their migrations either up or downstream from May through September.
3. No construction work on the river shall be allowed from sunset to sunrise (night-time).
4. Appropriate turbidity controls shall be installed prior to construction if necessary to prevent water quality degradation, these controls shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The permit holder or their agent shall submit a planting plan (indicating the diameter, location and species name) to replant the trees and shrubs which were slated for removal in the staging area adjacent to the southern retaining wall ramp and stairway within 30 days from issuance of the permit.
6. The permit holder shall propose a schedule for planting and stabilization of all disturbed shoreline areas resulting from the construction activity. Upon receipt of the planting plan, DES will review the plan and send a separate letter of review/approval with dates for completion of plantings in proposed staging area.
7. Prior to start of the work in the Nashua River, the permit holder and their environmental consultant shall meet with the contractor to review the permit and its conditions, the permitted plans to ensure that all work is being carried out in accordance with the permit. The environmental consultant shall submit a report to DES documenting the results of this meeting.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. Appropriate siltation/erosion/turbidity controls shall be in place on shoreline impact areas and shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of removal of staging area that is in or adjacent to the Nashua River, all exposed soil areas shall be stabilized by seeding and mulching as appropriate to ensure proper vegetative growth of any disturbed areas.
11. Prior to the mobilization of the equipment from the site, the environmental consultant shall review the site to ensure proper shoreline stabilization. A report documenting this inspection shall be submitted to DES.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) has been considered in the design of the project.
5. The approved plans and conditions of the permit will provide for a planting plan around the Prime Wetland area.
6. The project as approved and monitored should prevent any water quality degradation.
7. Based on findings 1-6 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
8. The permit provides for a limited construction period to prevent unnecessary impact to fisheries using the Nashua River

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2006-00878 NASHUA, CITY OF
NASHUA Prime Wetlands, Salmon Brook & Merrimack River

Requested Action:

Construct a Wet Weather Flow Treatment Facility ("WWFTF") adjacent to prime wetlands located at the City of Nashua's Wastewater Treatment Facility ("NWTF").

APPROVE PERMIT:

Construct a Wet Weather Flow Treatment Facility ("WWFTF") adjacent to prime wetlands located at the City of Nashua's Wastewater Treatment Facility ("NWTF").

With Conditions:

1. All work shall be in accordance with plans by the City of Nashua dated April 2006, as received by the Department on July 26, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Silt fencing must be removed once the area is stabilized.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is located at an existing wastewater treatment facility.

6. The New Hampshire Fish and Game Department did not comment on the proposed project.
7. The Conservation Commission did not comment on the proposed project.
8. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
9. No work will be conducted within wetlands or surface waters or bank.
10. This permit is contingent on approval by the DES Site Specific Program.
11. All work will be outside of the Shoreland Protection Act 150 foot woodland buffer.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
13. A public hearing was held at the Department on July 26, 2006. No one in opposition to this project attended the public hearing.
14. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

MINOR IMPACT PROJECT

2005-00867 DJP REALTY TRUST, C/O CORPORATE SERVICE CO
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill a total of 7,200 sq. ft. of wetlands to install two roadway crossings in the final 21-lot phase of a 68-lot subdivision on 45.44 acres, including 6,100 sq. ft. of impact and installation of a 18" x 60' culvert, and 1,100 sq. ft. of crossing impact.

Approve compensatory mitigation for the combined total wetlands impact of 14,100 sq. ft. (including phase I, permit 2003-639 for 6,900 sq. ft., and this phase for 7,100 sq. ft.) to be completed through a donation to the Strafford Rivers Conservancy of \$43,661.00 toward the Fowler's Farm Conservation Project.

APPROVE PERMIT:

Dredge and fill a total of 7,200 sq. ft. of wetlands to install two roadway crossings in the final 21-lot phase of a 68-lot subdivision on 45.44 acres, including 6,100 sq. ft. of impact and installation of a 18" x 60' culvert, and 1,100 sq. ft. of crossing impact.

Approve compensatory mitigation for the combined total wetlands impact of 14,100 sq. ft. (including phase I, permit 2003-639 for 6,900 sq. ft., and this phase for 7,100 sq. ft.) to be completed through a donation to the Strafford Rivers Conservancy of \$43,661.00 toward the Fowler's Farm Conservation Project.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Inc. dated November 2004, as received by the Department on 5/2/2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Work shall be done during low flow.

Wetland preservation:

1. This permit is contingent upon the deposit of \$43,661.00 to the Strafford Rivers Conservancy toward the Fowler's Farm Conservation Project, as a form of compensatory mitigation for impacts to jurisdictional wetlands, per applicant's letter dated 7/13/2006, as received on 7/17/2006.
2. Prior to the start of additional construction on the property the applicant shall provide to DES Wetlands Bureau a copy of the deposit slip documenting transfer of the funds to the Strafford Rivers Conservancy.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. of non-tidal wetlands impact in the aggregate. Phase II of this project at 7,200 sq. ft., in combination with the previous approval for Phase I under 2003-639 for 6,900 sq. ft. of impact, totals 14,100 sq. ft. of wetlands impact for the overall subdivision.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Wetlands must be crossed at some locations on this property in order to reach buildable uplands and provide emergency access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The wetland crossings have been located at the narrowest locations, and the lots number has been reduced. The applicant has provided acceptable compensatory mitigation for the combined impacts of the overall project in the form of a \$43,661.00 cash donation to the Strafford Rivers Conservancy toward the Fowler's Farm Conservation Project.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no NHI or NH Fish & Game listed species hits for this property; the Rochester Conservation Commission did not report.

2005-01772 DELLASELVA, RAYMOND
GILFORD Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 20 ft pipe dock and 4 ft x 10 ft connecting walkway, and replace a 6 ft x 24 ft pipe dock extending from a 12 ft 6 in x 25 ft 11 in boathouse with a 4 ft x 28 permanent piling supported pier on 100 ft of frontage in Gilford on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Extension given for March 15, 2006 to meet More Information request

APPROVE PERMIT:

Remove existing 4 ft x 20 ft pipe dock and 4 ft x 10 ft connecting walkway, and replace a 6 ft x 24 ft pipe dock extending from a 12 ft 6 in x 25 ft 11 in boathouse with a 4 ft x 28 permanent piling supported pier on 100 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 2, 2006, as received by the Department on August 4, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Both of the existing seasonal piers shall be completely removed from the frontage prior to the construction of the piling pier.
4. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
5. The minimum clear spacing between piles shall be 12 feet center to center.
6. Piling pier shall not exceed a 4 ft width.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) modification of a permanent docking system providing less than 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has met administrative rule Env-Wt 402.20 by reducing the amount of surface area constructed over surface waters.

2006-00981 FOWNES MILLS DEVELOPMENT LLC
ROCHESTER Unnamed Wetland

Requested Action:

Fill 8,353 sq. ft. of highly degraded man-made wetland for slope grading associated with residential re-development of a previously disturbed urban industrial mill site.

Temporarily impact 6,846 sq. ft. of wetlands to restore an artificially channelized, and also highly disturbed, sluiceway to a natural shrub/scrub/emergent wetland, to be executed according to DES Restoration Plan Approval issued under separate cover.

APPROVE PERMIT:

Fill 8,353 sq. ft. of highly degraded man-made wetland for slope grading associated with residential re-development of a previously disturbed urban industrial mill site.

Temporarily impact 6,846 sq. ft. of wetlands to restore an artificially channelized, and also highly disturbed, sluiceway to a natural shrub/scrub/emergent wetland, to be executed according to DES Restoration Plan Approval issued under separate cover.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates Inc. dated 5/10/2006, as received by the Department on 6/8/2006.
2. This permit is contingent upon execution of the Restoration Plan Approval issued under separate cover for wetlands restoration of the highly degraded sluiceway present on this project site.
3. This permit is contingent on approval by the DES Site Specific Program.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
17. Work shall be done during low flow.
18. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. in the aggregate of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The steep nature of the contours adjacent to the redevelopment area, and the contours of the man-made wetland area, make it necessary to fill and regrade to obtain appropriate site contours.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The site has historically been an industrial mill site, then recently an automotive business with junk cars, and is highly degraded. The wetland to be impacted is artificial and has virtually no function other than trash collection; the sluiceway, which is also degraded, sends untreated drainage directly to the Cocheco River, thus is to be restored to a functional wetland.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project:
 - a. the development will correct substandard urban stormwater detention and treatment issues, particularly eliminating the excessive sediment deposition that is occurring at the mouth of the sluiceway and the Cocheco;
 - b. concerns voiced by NH Fish & Game Department about sedimentation into the Cocheco River are addressed by correction of the urban stormwater treatment issues as described above, and the Cocheco will be further protected over existing conditions by restoration of the sluiceway into a functional wetland, and by the permit condition requirements;

- c. the Rochester Conservation Commission did not report on this project.
5. Redevelopment of this lot is not subject to the requirements of the Comprehensive Shoreland Protection Act, RSA 483-B, as the project is located on a non-tidal area of the Cocheco River which is also further upstream than the point at which fourth order designation for the freshwater portion begins.

2006-01020 COOLEY, DONALD
TUFTONBORO Lake Winnepesaukee

Requested Action:

Install two tie off piles in the western slip adjacent to permanent 6 ft by 36 ft crib supported dock on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com has no objections

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Install two tie off piles in the western slip adjacent to permanent 6 ft by 36 ft crib supported dock on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on May 02, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. No work is authorized to the adjacent 4 ft x 32 ft seasonal pier.
5. The seasonal pier shall be removed for the non-boating season.
6. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), installation of new tie off piles with do not add boat slips to an existing docking system.
2. NH NHI and NH Fish and Game will not be submitting comments to this file.

2006-01125 NOTTINGHAM, TOWN OF
NOTTINGHAM North River

Requested Action:

Replace an existing deteriorated 14' wide x 9'6" high x 76' long metal culvert with a 14' wide x 11' high x 41'6" long precast concrete box culvert; install associated concrete wing walls and rip rap inlet/outlet stabilization, impacting a total of approximately 2,100 sq. ft. (85 linear ft.) of channel and banks of North River.

APPROVE PERMIT:

Replace an existing deteriorated 14' wide x 9'6" high x 76' long metal culvert with a 14' wide x 11' high x 41'6" long precast concrete box culvert; install associated concrete wing walls and rip rap inlet/outlet stabilization, impacting a total of approximately 2,100 sq. ft. (85 linear ft.) of channel and banks of North River.

With Conditions:

1. All work shall be in accordance with revised plans by Hoyle Tanner & Associates Inc. dated May 2006, as received by the Department on 5/26/2006.
2. This permit is contingent upon coordination by the permittee with NH Fish & Game Department Non-game and Endangered Species Program with respect to the following issues:
 - a. naturalization of the culvert bottom to enhance aquatic species passage;
 - b. size, nature, shape and placement of the inlet and outlet stone;
 - c. timing of the project to avoid and minimize impacts to the species of concern reported by the NH Natural Heritage Inventory as occurring in the project vicinity.Documentation of this coordination and its results shall be submitted back to DES prior to the commencement of work. Any resulting design changes will require an amendment to this permit.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Silt fencing must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter less than 200 linear feet of a non-tidal perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert is structurally deficient, and also undersized to handle a fifty year storm event.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Env-Wt 302.03. The new culvert height will increase capacity, while the structure length in the river channel is able to be shortened.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The project has been conditioned to require coordination of the permittee with the NH Fish & Game Dept. Non-game and Endangered Species Program with respect to stream bottom conditions, and timing to protect the species reported by the NH Natural Heritage Bureau. The Nottingham Conservation Commission did not report.

2006-01745 PEMBROKE, TOWN OF
PEMBROKE Unnamed Wetland Hartford Brook

Requested Action:

Dredge and fill 4515 square feet of man made drainage ditch, forested wetland and riverine system for road drainage improvements and culvert replacements of the same length on a road which washed out in the May storm events.

APPROVE PERMIT:

Dredge and fill 4515 square feet of man made drainage ditch, forested wetland and riverine system for road drainage improvements and culvert replacements of the same length on a road which washed out in the May storm events.

With Conditions:

1. All work shall be in accordance with plans by KV Partners dated June 2006, as received by the Department on July 10, 2006.
2. The Town shall obtain easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2006-01745 prior to construction.
3. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted in the dry and during low water conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. All culverts shall be the same length or shorter.
9. Culvert inverts shall be installed at existing grade.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed

the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01763 STATE OF NH - WATER RESOURCES DIVISION
WOLFEBORO Back Bay

Requested Action:

Hand pull Variable Milfoil(*Myriophyllum heterophyllum*) from 18 acres of lakebed in Back Bay, in Wolfeboro.

APPROVE PERMIT:

Hand pull Variable Milfoil(*Myriophyllum heterophyllum*) from 18 acres of lakebed in Back Bay, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with worksheets, plans, narrative, and procedures by Denise Blanchette as received by the Department on July 3, 2006 and Kenneth Marschner as received by the Department on July 26, 2006.
2. Work shall take place between July 15 and October 15.
3. The NH DES Biology Bureau's Exotic Species Program Coordinator shall be notified of the dates on which hand pulling will occur 14 days prior to the beginning of the project. The Exotic Species Program Coordinator will also receive prior notification of any change in the work schedule. The Exotic Species Program Coordinator can be reached at 603-271-2248 or asmagula@des.state.nh.us.
4. If, at any time during the hand pulling, the Department determines that rising water levels or other factors, such as wind or wave activity, pose significant risk to the containment of the worksite the Department may request that the work cease until water levels recede to an acceptable level. Work shall cease immediately upon notification of the applicant, or any agent of the applicant and shall not resume until authorized by the Department.
5. This permit shall be used only once for hydro-raking activity only. Future hydro-raking shall require a separate application and permit.
6. The area of hand pulling shall be enclosed by appropriate containment/turbidity controls.
7. Appropriate containment/turbidity controls shall be installed prior to hand pulling, shall be maintained during hand pulling such that no turbidity or fragmented vegetation escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. "Appropriate containment/turbidity controls" shall consist of an impermeable barrier which extends from the lakebed to a point 3-4 inches above the water surface at all times through the duration of the raking, to prevent the escape of all aquatic plant fragments from the site.
9. All vegetation, root systems and associated soil material ("spoil material") shall be completely removed from surface waters and shall be deposited at location outside of the DES Wetlands Bureau jurisdiction which is at least 250 feet from any surface water, seasonal stream, or drainage system.
10. Appropriate siltation, erosion and containment/turbidity controls shall also be in place in the disposal area, any transfer area, or other area of disturbance prior to initiating hand pulling. The controls shall be maintained during construction, and shall remain until the area is stabilized.
11. All equipment initially entering surface waters shall be completely free of any aquatic plants and wildlife.
12. Boat and equipment washing/rinsing shall not take place in areas in Wetlands Bureau jurisdictional areas.
13. All work shall be done in a manner so that no water quality degradation results from this aquatic weed control project.
14. Mechanized equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or other jurisdictional areas.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
17. No shoreland vegetation between the reference line and the 150 ft natural woodland buffer zone setback shall be disturbed.

18. Upon completion of the project, the contactor shall thoroughly clean all equipment that contacted the water or plants removed from the water, so as to ensure that all aquatic plant and animal material has been removed before the equipment is removed from the site.

19. All activity associated with this project shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), projects involving the removal of emergent or submergent vegetation when the method used disturbs the bottom sediment of the waterbody.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. All abutters to the proposed weed removal areas were notified of the intent to remove Variable Milfoil from Back Bay during the application process relative to the use of herbicides.
5. The hand pulling of invasive species has less potential adverse impacts than the use of herbicides.

MINIMUM IMPACT PROJECT

2005-03047 USDA FOREST SERVICE, WHITE MTN NATIONAL FOREST
ALBANY Unnamed Stream

Requested Action:

Dredge and fill approximately 585 square feet and temporarily impact approximately 895 square feet of Pond Brook bed and bank to replace two abutments, a single pier, and existing 80-foot pedestrian bridge with a 95-foot pedestrian bridge.

APPROVE PERMIT:

Dredge and fill approximately 585 square feet and temporarily impact approximately 895 square feet of Pond Brook bed and bank to replace two abutments, a single pier, and existing 80-foot pedestrian bridge with a 95-foot pedestrian bridge.

With Conditions:

1. All work shall be in accordance with plans by USDA Forest Service dated July 3, 2002; September 15, 2005; and October 31, 2005, as received by the Department on December 27, 2005; and plans received by the Department on July 19, 2006.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
19. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
20. Seed mix within the restoration area shall be a conservation seed mix appropriate to the area, and not containing invasive species as listed by the Department of Agriculture and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to DES within 10 days of application.
21. Plantings within the restoration area shall be native like species.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, and replacement of a bridge.
2. The only change to the existing bridge location and configuration is the relocation of the bridge abutments further up the bank and the extension of the bridge deck by 15 feet.
3. The existing bridge abutment locations will be restored.
4. Relocating the bridge abutments and lengthening the bridge will improve the existing crossing by increasing the width.
5. Communities identified by the Natural Heritage Bureau are downstream of the proposed project area along the Swift River.
6. No comments were submitted from the Swift River Local Advisory Committee (LAC).
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00185

40 BUTTRICK ROAD LLC

LONDONDERRY Unnamed Wetland

Requested Action:

Amendment: Dredge and fill an additional 2,075 sq. ft. of palustrine emergent wetlands for side slope grading associated with the proposed turning lanes from Mammoth Road onto Buttrick Road for access to a proposed medical office building.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission recommended approval the proposed project.

APPROVE AMENDMENT:

Dredge and fill approximately 2,620 sq. ft. of palustrine emergent wetlands to create turning lanes from Mammoth Road onto Buttrick Road for access to proposed medical offices. Work includes side slope grading and filling, installation of an 18-inch x 54 foot RCP, headwalls and riprap aprons.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc., "Erosion Control Plan", revision dated January 18, 2006, as received by the Department on January 25, 2006 and narratives prepared by Gove Environmental Services, Inc., dated January 2006, as received by the Department on January 25, 2006 and amendment request plans by CLD Consulting Engineers, Inc., "General Plan", revision dated June 16, 2006 as received by the Department on June 30, 2006 and amendment narratives prepared by Gove Environmental Services, Inc., dated June 20, 2006 as received by the Department on June 30, 2006.
2. This permit is contingent on approval by the NHDOT for the proposed work within the NHDOT right of way.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is part of the offsite improvements required to create turning lanes from Mammoth Road onto Buttrick Road for access to proposed medical offices on Buttrick Road.
6. The applicant has addressed concerns with New Hampshire Fish & Game Department regarding possible impacts to New England Cottontail habitat related to the proposed medical office facility.
7. The additional wetlands impacts are a result of a NHDOT's recommendation to remove a previously proposed guardrail. The lack of a guardrail will require a more gradual roadside slope.

2006-00657 SHB PROPERTIES LLC
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill 1,780 square feet of palustrine forested wetlands at three (3) wetlands crossings including the installation of a 15-inch x 28-foot culvert and associated headwalls at Wetland Crossing #1 impacting 230 square feet, a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #2 impacting 350 square feet, and a 15-inch x 25-foot culvert and associated outlet structure at Wetland Crossing #3 impacting 1,200 square feet to construct three (3) driveways for access to three (3) lots of a 9-lot

residential subdivision on an approximately 26 acre parcel.

APPROVE PERMIT:

Dredge and fill 1,780 square feet of palustrine forested wetlands at three (3) wetlands crossings including the installation of a 3-foot(rise) x 3-foot(span) x 16-foot(length) box culvert and associated headwalls at Wetland Crossing #1 impacting 230 square feet, a 3-foot(rise) x 3-foot(span) x 16-foot(length) box culvert and associated headwalls at Wetland Crossing #2 impacting 350 square feet, and a 15-inch x 24-foot culvert and associated headwall and outlet structure at Wetland Crossing #3 impacting 1,200 square feet to construct three (3) driveways for access to three (3) lots of a 9-lot residential subdivision on an approximately 26 acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 28, 2006 (revised), as received by the DES Wetlands Bureau on August 4, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. All work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Silt fence(s) must be removed once the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of three (3) driveways for access to three (3) lots of a 9-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveways were configured to minimize wetlands impacts by crossing the wetlands at their narrowest points and minimizing side-slope fill.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. Of the nine buildable lots, two lots are presently developed.
6. The applicant submitted a memorandum from the New Boston Planning Board to the DES Wetlands Bureau (received July 11, 2006) stating that to meet the requirements of a Zoning Ordinance, the applicant must receive a permit from the DES Wetlands Bureau for the proposed driveway to Lot #12-65-8 (Wetland Crossing #3) even if they intend to access the building site from another location. The applicant intends to access the lot from the Pulpit Road cul-de-sac and not Bedford Road, thereby avoiding Wetland Crossing #3. The applicant has indicated that restrictions have been added to Lot #12-65-8 to negate Wetland Crossing #3.
7. The Conservation Commission submitted comments to the DES Wetlands Bureau (received July 11, 2006) stating that they support the DES Wetlands Bureau's approval of Wetland Crossing #3 knowing that it will never be used.
8. The applicant coordinated with the Nongame and Endangered Wildlife Program of the NH Fish and Game Department (NHFGD) to assess potential impacts on Blanding's turtle and Eastern hognose snake documented in the project area.

2006-01181 DAVIS, RANDY
HOOKSETT

Requested Action:

Confirm emergency authorization to: Backfill eroded ravine and recreate bank of an unnamed stream riprap approx 100 linear feet along the bank no work shall be done in the water.

APPROVE PERMIT:

Backfill eroded ravine and recreate bank of an unnamed stream riprap approx 100 linear feet along the bank no work shall be done in the water.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.03(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The project was necessary to stabilize the existing bank and protect the infrastructure on the property.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 19, 2006.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2006-01264 KIMBALL UNION ACADEMY
MERIDEN Bloods Brook

Requested Action:

Dredge and fill 48 square feet and temporarily impact 78 square feet of Bloods Brook bank for pedestrian bridge installation.

APPROVE PERMIT:

Dredge and fill 48 square feet and temporarily impact 78 square feet of Bloods Brook bank for pedestrian bridge installation.

With Conditions:

1. All work shall be in accordance with plans by William Knight dated April 28, 2006, as received by the Department on May 22, 2006.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH

Department of Fish and Game.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of jurisdictional area during construction.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
14. Mulch within the restoration area shall be straw.
15. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
16. Post-construction photographs documenting the status of the restored banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(h), installation of a bridge provided that no work is done in the water or wetland.
2. The proposed project will only impact Bloods Brook bank.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01287 GREAT BAY NATIONAL WILDLIFE REFUGE
NEWINGTON Great Bay

Requested Action:

Dredge and fill approximately 400 sq. ft. of wetlands to replace a failed 12" culvert with a 18' x 40' culvert on existing public trail at Great Bay National Wildlife Refuge, and remove existing beaver fence and debris. The new beaver control pipe requested is not permitted.

APPROVE PERMIT:

Dredge and fill approximately 400 sq. ft. of wetlands to replace a failed 12" culvert with a 18' x 40' culvert on existing public trail at Great Bay National Wildlife Refuge, and remove existing beaver fence and debris. The new beaver control pipe requested is not permitted.

With Conditions:

1. All work shall be in accordance with plans by Ducks Unlimited, Inc. dated 2/24/2006, as received by the Department on

5/23/2006, with the exception of the beaver control pipe. Construction of the beaver control pipe is not permitted, due to its potential impact on aquatic species passage, particularly the listed species, Blandings Turtle.

2. This permit is contingent upon receipt by DES of revised plans eliminating the beaver control structure.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The culvert currently under the trail crossing is failing.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Increase from a 12" to an 18" culvert will provide for better flow, species passage and is less likely to become clogged than the smaller culvert.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. Removal of existing beaver fence and debris will eliminate flow restrictions and flooding impoundment. DES has not approved installation of the perforated beaver pipe, which may be hazardous to aquatic species passage, including the Blandings turtle, which NH Fish & Game Department has reported as a hit for this site.

2006-01711 LEER, CATHY
DEERFIELD Pleasant Lake

Requested Action:

Retain a 400 sq ft perched beach on 500 ft of frontage on Pleasant Lake, Deerfield.

Conservation Commission/Staff Comments:

No comments from the Con Com by August 11, 2006

APPROVE AFTER THE FACT:

Retain a 400 sq ft perched beach on 500 ft of frontage on Pleasant Lake, Deerfield.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 06, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone or timbers placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. Steps installed for access to the water shall require a separate application.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

2006-01742 SPEAR, ROBERT & REBECCA ARNOLD
WOLFEBORO Crescent Lake

Requested Action:

Install a 4 ft by 24 ft seasonal dock on Crescent Lake, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Install a 4 ft by 24 ft seasonal dock on Crescent Lake, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 10, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.

FORESTRY NOTIFICATION

2006-01955 BUSHNELL, PETER
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:

Meredith Tax Map R6-2, Lot# 1

2006-01966 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
SHELBURNE Unnamed Stream

COMPLETE NOTIFICATION:

Shelburne Tax Map 8, Lot# 25

2006-01967 **CHOLLET, SUSAN**
PETERBOROUGH **Unnamed Stream**

COMPLETE NOTIFICATION:

Peterboro Tax Map R2 & R4, Lot# 43 & 2

2006-01973 **PIROVANE ET AL, ROBERT**
WEARE **Unnamed Stream**

COMPLETE NOTIFICATION:

Weare Tax Map 409, Lot# 172 & 188

2006-01974 **NICKERSON, MARK**
MADISON **Unnamed Stream**

COMPLETE NOTIFICATION:

Madison Tax Map 239, Lot# 10

2006-01975 **KEEFE FAMILY TRUST**
ALTON **Unnamed Stream**

COMPLETE NOTIFICATION:

Alton Tax Map 12, Lot# 67-5

2006-01976 **ABDU, BILL & LINDA**
OSSIPEE **Unnamed Stream**

COMPLETE NOTIFICATION:

Ossipee Tax map 23, Lot# 58, 58.1, 58.2, 65, 66

2006-01977 **WHITNEY, STEVEN**
NEWPORT **Unnamed Stream**

COMPLETE NOTIFICATION:

Newport Tax Map 47, Lot# 56-5

2006-01978 **LARSON, CARL**
NEWBURY **Unnamed Stream**

COMPLETE NOTIFICATION:

Newbury Tax Map 42, Lot# 504-150

2006-01979 **QUIMBY, JERALD & GERALDINE**
HILL **Unnamed Stream**

COMPLETE NOTIFICATION:

Hill Tax Map R11, Lot# 19

2006-01994 COUGHLIN, DAN & BARBARA
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Francestown Tax Map 6, Lot# 70

2006-01995 PARADIS, ROBERT
STARK Unnamed Stream

COMPLETE NOTIFICATION:

Stark Tax Map 404, Lot# 30

2006-01996 VEDRANI, JENNIFER
TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro Tax Map 42, Lot# 24

2006-01997 CARLTON, KEN & KIM
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Deerfield Tax Map 12, Lot# 47A & 48

2006-01998 MCCULLOUGH, JILL
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:

Canterbury Tax Map 15, Lot# 12

2006-01999 HALL, GARDNER
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:

Plymouth Tax Map 8, Lot# 1

EXPEDITED MINIMUM

2006-00697 GRACE, STEVEN/SUZANNE
LEMPSTER Unnamed Stream

Requested Action:

Dredge and fill 800 square feet of palustrine forested wetlands and 34 linear feet of intermittent stream to install a 48-inch x 32-foot culvert to construct a driveway for access to one (1) lot of a 2-lot residential subdivision on an approximately 5 acre parcel.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 340 square feet of palustrine forested wetlands and 34 linear feet of intermittent stream to install a 60-inch x 32-foot culvert to construct a driveway for access to one (1) lot of a 2-lot residential subdivision on an approximately 5 acre parcel.

With Conditions:

1. All work shall be in accordance with the plan by Paton Surveys, P.L.L.C. dated July 14, 2006 (revised), as received by the DES Wetlands Bureau on July 17, 2006 and the plan by Beaver Tracks, LLC dated August 3, 2006, as received on August 4, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #4 of this approval.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. All work shall be done during no flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The culvert shall be embedded and native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural stream channel bottom within the culvert. Any nonnative materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway for access to one (1) lot of a 2-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveway was configured to minimize stream and wetlands impacts by crossing the stream and wetland at the narrowest point. The project was also revised to include a larger diameter, embedded culvert.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Of the two buildable lots, one lot is presently developed.
6. The proposed culvert will be embedded and native material (removed from the streambed during culvert installation) will be placed in the culvert to emulate a natural stream channel bottom within the culvert.
7. The Conservation Commission signed the application but did not submit comments.

2006-01285 CONNELLY, STEVEN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Excavate and construct a 360 sqft perched beach with 8 cubic yards of sand, permanently remove an existing wood stairway over the bank and install a 4 ft wide wooden access stair over the bank to access the waterbody on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Excavate and construct a 360 sqft perched beach with 8 cubic yards of sand, permanently remove an existing wood stairway over the bank and install a 4 ft wide wooden access stair over the bank to access the waterbody on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 19, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be wooden steps over the bank with no bank disturbance for installation and located in the same location as the existing wooden steps.
6. No more than 8 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

2006-01500 NH FISH & GAME DEPARTMENT
BERLIN Upper Trail Pond, Ammonoosuc River, Cold Brook & W

Requested Action:

Dredge and fill 1,261 square feet of wetlands for proposed pipeline consolidation modifications of the Berlin Fish Hatchery and maintenance dredge 9,136 square feet of man-made Upper Trail Pond.

APPROVE PERMIT:

Dredge and fill 1,261 square feet of wetlands for proposed pipeline consolidation modifications of the Berlin Fish Hatchery and maintenance dredge 9,136 square feet of man-made Upper Trail Pond.

With Conditions:

1. All work shall be in accordance with plans by Nobis Engineering, Inc. dated May 2006, as received by the Department on June 16, 2006.
2. All work shall be done in the dry/ frozen conditions/ low-water/ or under draw-down conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Mulch within the restoration area shall be straw.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredge and Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. No comments were submitted from the NH Fish and Game Department, Nongame and Endangered Wildlife Program
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01590 TILNEY, NICHOLAS & MARY
NEW CASTLE Tidal Buffer

Requested Action:

Applicant request to withdraw application at this time.

WITHDRAW APPLICATION:

The application has been withdrawn and the applicant will be planting native species on their frontage within the 100-foot Tidal Buffer Zone.

With Findings:

Planting native species within the previously disturbed 100-foot Tidal Buffer Zone does not require an approved permit from DES in accordance with Env-Wt 303.05(i).

2006-01596 PATEL, RAMAN
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 1,344 sq. ft. of wetland for the widening of the eastbound shoulder of US Route 202 as part of the renovation and conversion of an existing commercial building.

Conservation Commission/Staff Comments:

Con. Com. signed Expedited Application.

APPROVE PERMIT:

Dredge and fill 1,344 sq. ft. of wetland for the widening of the eastbound shoulder of US Route 202 as part of the renovation and conversion of an existing commercial building.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Assocites, Inc. dated December 2005 as received by the Department on June 26, 2006.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2006-01718 NORTHERN PRIDE HOMES LLC
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill 940 square feet of palustrine forested wetlands to maintenance dredge and extend an existing drainage ditch and construct a driveway for access to one (1) lot of a 3-lot residential subdivision on an approximately 12 acre parcel.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 940 square feet of palustrine forested wetlands to maintenance dredge and extend an existing drainage ditch and construct a driveway for access to one (1) lot of a 3-lot residential subdivision on an approximately 12 acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Thomas C. Dombroski L.L.S. dated May 8, 2006 (revised), as received by the DES Wetlands Bureau on July 10, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #4 of this approval.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. All work shall be done during low flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway for access to one (1) lot of a 3-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.
6. The Conservation Commission signed the application but did not submit comments.

2006-01721 **ISRAEL, DAVID & SARA**
SUGAR HILL **Unnamed Wetland**

Requested Action:

Dredge and fill 975 square feet of forested wetlands along 30 linear feet of intermittent stream to install a 24-inch x 30-foot plastic culvert for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 975 square feet of forested wetlands along 30 linear feet of intermittent stream to install a 24-inch x 30-foot plastic culvert for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction, Inc. dated April 13, 2006 and May 05, 2006, as received by the Department on July 10, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for access to a single family residence.
2. Topography limits access from the south.
3. Both lots tax map/lot 219/21.2 and 219/27.21 are lots of record and no subdivision applications are pending.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01724 SHATZER, WARREN & SUSAN
TUFTONBORO Mirror Lake

Requested Action:

Install a 6 ft by 30 ft seasonal dock attached to a 6 ft by 2 ft concrete pad behind the natural undisturbed shoreline, remove rocks from 32 sq ft of lake bed and excavate 500 sq ft of bank along 20 ft shoreline to construct a 20 ft x 25 ft perched beach with 4 ft wide access stairs on an average of 144 feet of frontage on Mirror Lake, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application but submitted comments.

APPROVE PERMIT:

Install a 6 ft by 30 ft seasonal dock attached to a 6 ft by 2 ft concrete pad behind the natural undisturbed shoreline, remove rocks from 32 sq ft of lake bed and excavate 500 sq ft of bank along 20 ft shoreline to construct a 20 ft x 25 ft perched beach with 4 ft wide access stairs on an average of 144 feet of frontage on Mirror Lake, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Allen Folsom dated June 28, 2006, as received by the Department on July 11, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. The concrete pad shall be located entirely behind the natural undisturbed shoreline.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property

lines or the imaginary extension of those lines into the water.

5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 510). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), dredge of less than 20 cu yd from public waters..
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 144 feet of shoreline frontage along Mirror Lake.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
7. The plans submitted adequately address the local Conservation Commissions concerns.

2006-01732 MOYER, APRIL
DOVER Unnamed Stream Wetlands

Requested Action:

Fill 375 sq. ft. of wetland and installation of a 30 in. X 30 ft. RCP culvert for access to uplands for the construction of a septic system.

Conservation Commission/Staff Comments:

Con. Com. signed Expedited Application.

APPROVE PERMIT:

Fill 375 sq. ft. of wetland and installation of a 30 in. X 30 ft. RCP culvert for access to uplands for the construction of a septic system.

With Conditions:

1. All work shall be in accordance with plans by Groover Septic Design dated May 2006 as received by the Department on August 7, 2006.
2. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
3. This permit is contingent upon DES Subsurface approval.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2006-01755 NORMANDY, DAVID & VIRGINIA
SUTTON Unnamed Stream

Requested Action:

Dredge and fill 814 square feet of palustrine forested wetlands and 45 linear feet of intermittent stream at three (3) wetlands crossings including the installation of a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #1 impacting 365 square feet, a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #2 impacting 150 square feet and 22 linear feet of channel, and a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #3 impacting 299 square feet and 23 linear feet of channel to construct a driveway for access to a single family building lot.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 814 square feet of palustrine forested wetlands and 45 linear feet of intermittent stream at three (3) wetlands crossings including the installation of a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #1 impacting 365 square feet, a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #2 impacting 150 square feet and 22 linear feet of channel, and a 15-inch x 20-foot culvert and associated headwalls at Wetland Crossing #3 impacting 299 square feet and 23 linear feet of channel to construct a driveway for access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated June 20, 2006, as received by the DES Wetlands Bureau on July 13, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All work shall be done during low flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway for access to a single family building lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveway was configured to minimize stream and wetlands impacts by crossing the streams and wetlands at their narrowest points.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the application but did not submit comments.

2006-01768 MCGUINNESS, BARBARA
SUNAPEE Mtn View Lake

Requested Action:

Repair an existing 50 ft of retaining wall on Mountain View Lake, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 50 ft of retaining wall on Mountain View Lake, Sunapee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on August 10, 2006.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01801 DANIEL WEBSTER COUNCIL BSA INC
GILMANTON Round Pond

Requested Action:

Replace existing 315 ft failing submarine power supply cable on Round Pond.

APPROVE PERMIT:

Replace existing 315 ft failing submarine power supply cable on Round Pond.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Electric Cooperative, Inc. dated June 20, 2006, as received by the Department on July 17, 2006.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that "existing structures" were not previously permitted or grandfathered.

5. Temporarily impacted areas shall be stabilized with vegetation and existing rocks.

6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), replacement of a failed utility line.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01802 ASHJIAN, CARIN
MOULTONBOROUGH Tributary To Shannon Brook

Requested Action:

Remove 20 feet of existing failed 30-inch culvert and replace in kind.

APPROVE PERMIT:

Remove 20 feet of existing failed 30-inch culvert and replace in kind.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on July 17, 2006.

2. This permit is contingent on approval by the DES Dam Safety Program.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. Work shall be done during drawdown.

5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Repair shall maintain existing size, location and configuration.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01803 MACINNIS JR, NORMAN
ALTON Unnamed Wetland

Requested Action:

Dredge and fill 1408 square feet and install a 24-inch x 35 foot culvert for access to a single family residence.

APPROVE PERMIT:

Dredge and fill 1408 square feet and install a 24-inch x 35 foot culvert for access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Turning Point Land Surveyors dated January 10, 2006 and revised through July 11, 2006, as received by the Department on July 17, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01804 MIDDLE GATE HOMES LLC
NEW HAMPTON Unnamed Wetland

Requested Action:

Dredge and fill 450 square feet of palustrine forested wetland including installation of an 18-inch x 16 foot culvert for access in the subdivision of approximately 20 acres into 7 single family residential lots.

APPROVE PERMIT:

Dredge and fill 450 square feet of palustrine forested wetland including installation of an 18-inch x 16 foot culvert for access in the subdivision of approximately 20 acres into 7 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Middle Gate Homes dated June 22, 2006, as received by the Department on July 17, 2006 and Subdivision Plans by Central Land Surveying dated April 3, 2006, and revised through April 1, 2006, as received by the Department on July 17, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01810 BROWN, EDWARD
ALTON Lake Winnepesaukee

Requested Action:

Repair/Replace existing breakwater and cantilevered pier "in-kind".

APPROVE PERMIT:

Repair/Replace existing breakwater and cantilevered pier "in-kind".

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated June 23, 2006, as received by the Department on

July 17, 2006.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. This permit does not allow for maintenance dredging.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Rocks shall not be stockpiled in jurisdiction.
10. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
11. These shall be the only structures on this water frontage.
12. Existing rocks for breakwater repair shall be used. No more rocks shall be added.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2006-01812 NEWINGTON, TOWN OF
NEWINGTON**

Requested Action:

Fill a total of 345 sq. ft. of wetland in two locations for the installation of a 12 in. HDPE culvert with headwalls, placement of rip-rap outlet protection, and slope regrading for the reconstruction of the existing Brickyard Way.

Conservation Commission/Staff Comments:

Con. Com. signed the Expedited Application.

APPROVE PERMIT:

Fill a total of 345 sq. ft. of wetland in two locations for the installation of a 12 in. HDPE culvert with headwalls, placement of rip-rap outlet protection, and slope regrading for the reconstruction of the existing Brickyard Way.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated July 5, 2006, as received by the Department on July 17, 2006.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Construction equipment shall not be located within surface waters.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum project pursuant to Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
2. NH Natural Heritage Inventory (NHNHI) has record of an exemplary natural community, high salt marsh, within the vicinity of the project. NHNHI notes that threats to these communities are primarily alterations to the hydrology of the wetland (such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff. DES review finds that the proposed project does not involve ditching or tidal restrictions and there will not likely be an increased input of nutrients and pollutants over what currently exists.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01834 KARJEN LLC
BOW Unnamed Stream

Requested Action:

Remove existing 24-inch x 40 foot culvert and restore 250 square feet of intermittent stream and palustrine forested wetland.

APPROVE PERMIT:

Remove existing 24-inch x 40 foot culvert and restore 250 square feet of intermittent stream and palustrine forested wetland.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering dated June 2006, as received by the Department on July 21, 2006.
2. Work shall be done during periods of non-flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
4. All material removed during work activities shall be removed down to the level of the original hydric soils.
5. All material removed during work activities shall be placed out of DES's jurisdiction.
6. Mulch within the restoration area shall be straw.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Silt fencing must be removed once the area is stabilized.

2006-01837 THOMAS, CYNTHIA
MADBURY Unnamed Wetland

Requested Action:

Fill 1,050 sq. ft. of wetland including 40 linear ft. of an intermittent stream and installation of a 24 in. HDPE culvert for access to uplands for the construction of a single-family residence as part of a proposed 12-lot subdivision on 61.39 acres.

Conservation Commission/Staff Comments:

Con. Com. signed Expedited Application.

APPROVE PERMIT:

Fill 1,050 sq. ft. of wetland including 40 linear ft. of an intermittent stream and installation of a 24 in. HDPE culvert for access to uplands for the construction of a single-family residence as part of a proposed 12-lot subdivision on 61.39 acres.

With Conditions:

1. All work shall be in accordance with plans by Civilworks, Inc. dated June 19, 2006 as received by the Department on July 24, 2006.
2. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
3. This permit is contingent upon DES Subsurface approval.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2006-01865 LAVALLE, TIMOTHY
CANTERBURY Burnham Brook

Requested Action:

Replace a damaged 3 to 4 foot wide concrete box culvert with a 5 foot diameter culvert with inlet and outlet protection

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application;

Inspection Date: 07/11/2006 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Replace a damaged 3 to 4 foot wide concrete box culvert with a 5 foot diameter culvert with inlet and outlet protection

With Conditions:

1. All work shall be in accordance with plans by the applicant dated July, 2006, as received by the Department on Jul 26, 2006.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for vehicular access to a piece of property for a single family building lot.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The original bridge crossing was compromised/damaged during the May, 2006, floods.
6. The original bridge crossing included an artificial stream bed constructed out of asphalt.
7. The previous structure constricted the stream channel.
8. The new proposal will increase channel width.
9. The NHF&G Department has no concerns with the proposed upgrade.

2006-01893 CAHILL, EDWARD
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair/Replace existing 50 ft breakwater and install a 14 ft x 28 ft seasonal canopy over center boat slip on an existing "U-shaped" docking facility on 187 ft of frontage in Wolfeboro on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace existing 50 ft breakwater and install a 14 ft x 28 ft seasonal canopy over center boat slip on an existing "U-shaped" docking facility on 187 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated July 26, 2006, as received by the Department on July 28, 2006.
2. Breakwater repair shall maintain existing size, location and configuration.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for 5 months during the non-boating season.
4. Rocks shall not be stockpiled in jurisdiction.
5. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
6. Existing rocks shall be used for breakwater repair.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance or repair of existing docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2006-01483 RICHARDSON, JAMES & SUSAN
BOSCAWEN

Requested Action:

Request to excavate 7,552 sq.ft. of wet meadow to construct an irrigation storage reservoir to provide an immediate and adequate source of water for 16 acres of cropfield.

APPROVE PERMIT:

Request to excavate 7,552 sq.ft. of wet meadow to construct an irrigation storage reservoir to provide an immediate and adequate source of water for 16 acres of cropfield.

With Conditions:

1. All work shall be in accordance with plans by Natural Resources Conservation Service, as received by the Department on June 14, 2006.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. The project is a minor project pursuant to Env Wt 303.03(e) construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env- Wt 303.04(p).
2. This project was designed under a Natural Resources Conservation Service Conservation Plan.
3. The project as designed meets the Best Management Wetlands Practices for Agriculture, published by the New Hampshire Department of Agriculture, dated July 16, 1993.

GOLD DREDGE

2006-01969 AHLQUIST, WAYNE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath: Con Comm

2006-01984 AHLQUIST, JASON
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2006-01880 DRED - TRAILS BUREAU
BERLIN Unnamed Stream

PERMIT BY NOTIFICATION

2006-01870 ROCHESTER, CITY OF C/O THOMAS WILLIS
ROCHESTER Unnamed Stream

Requested Action:

Impact 150 sq. ft. of wetland bank to install headwall associated with culvert repair and sidewalk installation.

Conservation Commission/Staff Comments:
Conservation Commission signed application.

PBN IS COMPLETE:

Impact 150 sq. ft. of wetland bank to install headwall associated with culvert repair and sidewalk installation.

2006-01878 MEYER, DAVID
CENTER BARNSTEAD Dug Pond Spillway

Requested Action:

Impact 188 sq. ft. of wetlands to install a 24" x 15' culvert for a driveway access to a single family house lot.

Conservation Commission/Staff Comments:
Conservation Commission did not sign PBN.

PBN IS COMPLETE:

Impact 188 sq. ft. of wetlands to install a 24" x 15' culvert for a driveway access to a single family house lot.

2006-01926 MILNOR, ELAINE
ALTON Lake Winnepesaukee

Requested Action:

Repair/Replace existing docking facility "in-kind".

PBN IS COMPLETE:

Repair/Replace existing docking facility "in-kind".

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01961 GAZELLE, HARRY
SUNAPEE Unnamed Pond

Requested Action:

Temporary impact of 126 square feet in the bank and bed of a pond for installation of a dry hydrant.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

PBN IS COMPLETE:

Temporary impact of 126 square feet in the bank and bed of a pond for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w), excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2006-01962 POIRIER, KYLE
BOSCAWEN Unnamed Wetland

Requested Action:

Request to install 21" x 15" x 20' long corrugated aluminum pipe arch culvert with stone headwall impacting approximately 370 sq.ft. of wetlands.

PBN IS COMPLETE:

Request to install 21" x 15" x 20' long corrugated aluminum pipe arch culvert with stone headwall impacting approximately 370 sq.ft. of wetlands.

With Conditions:

1. All work shall be in accordance with plans by Alden Beauchemin [Keyland Enterprises, LLC] dated July 3, 2006, as received by the Department on August 7, 2006.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

2006-01972 GOODHUE, CHRISTY
BOSCAWEN Unnamed Wetland

Requested Action:

Dredge and fill 259 square feet including installation of a 12-inch x 18 foot culvert for access to a proposed single family residence.

PBN IS COMPLETE:

Dredge and fill 259 square feet including installation of a 12-inch x 18 foot culvert for access to a proposed single family residence.